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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,227

09/24/2004

Paul Haener

P-6939-US

1788

49443 7590 12/09/2010  
Pearl Cohen Zedek Latzer, LLP  
1500 Broadway  
12th Floor  
New York, NY 10036

EXAMINER

ALAM, RASHID A

ART UNIT

PAPER NUMBER

1721

NOTIFICATION DATE

DELIVERY MODE

12/09/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@pczlaw.com  
Arch-USPTO@pczlaw.com

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/509,227	HAENER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	RASHID ALAM	1721	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/04/2010.
2. ☒ The allowed claim(s) is/are 1,2,4-8,10-12 and 14-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date ____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date ____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other ____.</li> </ol> |
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## **DETAILED ACTION**

### **Allowance**

Applicant's arguments filed 11/04/2010 in the amendments after allowance and on 04/28/2010, with respect to amended claims, have been fully considered and are persuasive. The rejection filed 10/28/2009 has been withdrawn.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 23: on line 7, after the phrase "has a uniform", delete the word "a".

The amendment filed on 11/04/2010 under 37 CFR 1.312 has been entered.

Claims 1, 2, 4-8, 10-12, and 14-26 are allowed.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: the claimed invention is distinguished over the prior art of record in that the prior art does not teach an apparatus for the preparation of an electrochemical sensor in which the electrochemical sensor comprises a sensor head with a membrane and a dispenser for an electrolyte and the apparatus comprises a holder for the sensor, a dispenser for the electrolyte and a dispenser for the membrane and a common carrier wherein the holder,

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the dispenser for the electrolyte and the dispenser for the membrane and the common carrier are arranged within a common housing that is able to be handheld with the common housing comprising a housing upper part and a housing lower part being mutually rotatably mounted in a direction of rotation, the housing upper part being capable of being moved by hand in the direction of rotation displacement, the housing upper part and the housing lower part each comprising a half shell which form a common inner space for the reception of at least the dispenser for the electrolyte, the dispenser for the membrane, the common carrier and the holder for the sensor and the common carrier comprises of the dispenser and an actuator for the electrolyte and the dispenser for the membrane are rotatably mounted and the actuator, which is rotatably mounted, comprises of two plungers with the first plunger releases electrolyte from a container opened by pressure exerted on the actuator so that electrolyte and the second plunger releases electrolyte from a container by pressure exerted downwardly on the actuator releases the membrane with a pressing surface that reproducibly displaces the electrolyte.

/RASHID ALAM/  
Examiner. Art Unit 1721

/S. Rosasco/  
Primary Examiner, Art Unit 1721